

1 And subsequently they supplemented that
2 information with additional information this past
3 January, on January 24th of 2008.

4 The Division made the determination that the
5 application was administratively complete and notified
6 the applicant of this determination on March 14th.

7 The second stage occurs after the Division
8 determines that there's an administratively complete
9 application.

10 Then, the applicant and the Division give
11 notice of the application to solicit comments, and this
12 is the stage that we're now in this evening.

13 Let me explain that in a little more detail.
14 Notice was published by the applicant, and the Division
15 sent notice to affected government agencies or entities
16 that we had determined that the application was
17 administratively complete.

18 A public notice appeared for the 635.64-acre
19 surface mine permit application in the Southern Utah
20 News from March 26th through April 16th. The Division
21 accepted public comment through May 16th, about 30 days
22 after that.

23 If requested within 30 days of the last
24 newspaper publication, the Division is required to hold
25 an informal conference as part of the comment

1 Finally, in order to provide a full two weeks
2 of notice and to provide time for those who need
3 additional time to comment, the Division will extend the
4 time to file your written comments until this Friday,
5 June 20th. At that point, the comment period will
6 close.

7 The third stage of our process occurs
8 primarily after the informal conference is concluded.
9 And it involves the work of making a thorough evaluation
10 of the application for its technical adequacy, in other
11 words, to determine that the application and the
12 operator comply with all of the requirements of the act
13 to obtain a permit.

14 This requires a very thorough analysis of the
15 area to be mined, including the hydrology, the wildlife,
16 the vegetation, the archaeology, the land use and other
17 resource aspects of the area.

18 It also includes an evaluation of the proposed
19 mining operation and mining and reclamation plan to
20 assure that mining will be conducted in a way that will
21 protect the resources and assure that the area will be
22 returned to the approved post-mining land use.

23 The final -- fourth and final stage occurs
24 when the Division makes its decision on the application.
25 Notice will be sent to all persons who participated in

1 opportunity.

2 Three requests were received within the
3 30 days, and thus the Division is holding this informal
4 conference.

5 The Division mailed notice to government
6 entities and others and requested their comments by
7 May 22nd.

8 Those comments were received by that date, and
9 additional comments have also been received since the
10 two aforementioned deadlines that I just -- that I just
11 covered.

12 All written comments will be received and
13 considered by the Division as it proceeds with the
14 evaluation.

15 And I need to repeat that, that all written
16 comments will be received and considered by the
17 Division.

18 This informal conference was advertised the
19 first week in June, June 4th and 5th, in both the
20 Southern Utah News and the Garfield County newspaper.

21 In order to accomplish -- accommodate the
22 purposes of providing for full public participation in
23 the application review process, the Division will allow
24 an opportunity for all who wish to comment at this
25 informal conference an opportunity to do so.

1 this informal conference, and any person who has an
2 interest that may be adversely affected may request a
3 hearing on the Division's final decision.

4 If there is a request, any person with an
5 interest that may be adversely affected has an
6 opportunity for a hearing before the Board of Oil, Gas
7 and Mining, who normally meet in Salt Lake City.

8 As part of the decision to approve a permit,
9 the Division must determine that the mine operator
10 complies with other laws and regulations that are
11 enforced by other federal, state and local government
12 bodies.

13 For example, the operator must comply with
14 Bureau of Land Management requirements for a right of
15 way. They must obtain air and water quality permits
16 from the Utah Department of Environmental Quality. And
17 they must obtain approval of Kane County to relocate any
18 roads and for other county level permit.

19 Approvals from other government entities may
20 also be required. Although these issues may arise due
21 to the possible approval of the mining application, the
22 Division is not responsible for enforcing these laws,
23 and approval must be granted by the appropriate
24 government agency.

25 Although you may wish to comment today on